

**Council on Human Rights
Friday, March 31, 2006
Council's Boardroom, 4th Floor
Pocahontas Building
11:00 a.m.**

DRAFT

Council Members Present: Jon D. Strother, Chairman; David A. Drachsler, Vice Chairman; Valarie A. Jones, Parliamentarian; Donald O. Campen, Jr.; Dyana Mason; Jagdish Singh; and Leslie Teets.

Staff Present: Sandra D. Norman, Director; Stacey Brayboy, Deputy Director; Gerald Snead, EEO Manager; Timothy Wilson, Administration/Operations Manager; and Cortley West, Compliance Officer (P-14).

Cabinet Secretary: The Honorable Viola Baskerville, Secretary of Administration, Commonwealth of Virginia.

Council's Attorney Present: Martha "Marty" Parrish, Assistant Attorney General.

Call to Order, Acknowledgements, Approval of Minutes, and Introductions

The Chairman called the meeting to order. He first recognized Sandra Norman as the newly appointed Director of the agency. She was appointed January 24, 2006 by Governor Kaine. An eighteen year veteran of state government, Ms. Norman has spent her tenure with one agency, the Human Rights Council. The chairman also acknowledged that Ms. Norman recently received her Bachelor of Business Administration degree with honors, magna cum laude, from Averett University in December.

The minutes from the November 18, 2005 meeting were adopted. The Chairman informed the board that the Secretary of Administration will attend the meeting at noon. He recognized Stacey Brayboy, the new Deputy Director of the agency who gave a brief biographical sketch of herself that emphasized her outreach experience. The Chairman welcomed Ms. Brayboy to the Council and he, the members of the board and Assistant Attorney General Parrish introduced themselves to her. Ms. Brayboy was also appointed by Governor Kaine in January.

Director's Report

Ms. Norman first thanked the board for their previous support and also for future endeavors. She reported on the following:

Appointment

- Presented an article from the Roanoke Beacon, her hometown's newspaper, regarding her appointment. Ms. Norman is a native of Washington County, North Carolina.

U.S. Equal Employment Opportunity Commission (EEOC)

- The EEOC's repositioning was effective January 1, 2006. The agency now reports to the Charlotte District Office in North Carolina instead of the Baltimore District Office.
- The EEOC increased the Fair Employment Practices Agencies' (FEPA) contract amount from \$500 to \$540 a case. For several years the EEOC was lobbied by the FEPAs for an increase. However, on February 6, 2006, President Bush proposed cuts to the EEOC's funding during the upcoming federal fiscal year which will begin October 1, 2006. The budget reduction would greatly impact the FEPAs. The National Association for the Advancement of Colored People (NAACP) has expressed its concerns and the International Association of Official Human Rights Agencies (IAOHRA) wrote a letter to Cari Dominguez, Chairman of the EEOC, also expressing concern and disapproval of the President's proposal for overall funds disbursement for the FEPA's contract.
- EEOC has launched a new database system called the Integrated Mission System (IMS). IMS is a web based data system that will be utilized by FEPAs to input case data for intake, acceptance of cases, and reporting of federal case closures. Ms. Norman has participated in the training exercises. There are some concerns regarding the intake coordination between the EEOC and the local FEPAs. She will bring those concerns to the appropriate EEOC contact.

Strategic Plan

- The Strategic Plan is a performance based management system initiated under the Warner administration. Objectives are focused around the key functions of the agency which are compliance and enforcement. Outreach will be emphasized within this plan along with other initiatives to be discussed later by the Chairman.

Virginia Association of Human Rights Commissions (VAHRC)

- On Wednesday, March 29, 2006, the agency hosted the VAHRC's planning meeting at a local restaurant called Manhattan's. VAHRC's annual conference will be held June 2-3, 2006 in Virginia Beach. Ms. Norman invited the board members to attend the conference and membership forms are available. The agency will pay for the board members' registration to attend the conference.

Legislation/General Assembly

- Delegate Landes again introduced a budget bill to eliminate the agency and give its duties to the Office of the Attorney General. This bill was defeated. A lot of thanks go to members of the General Assembly (both the Senate and House and both political parties), the Office of the Attorney General, and other significant individuals for assisting the agency in this endeavor.
- If passed by the General Assembly, this year's proposed budget includes allocations for two (2) additional investigators and relocation allotment for office space.

Staff Reports

Ms. Brayboy

Outreach Initiatives

- Having reviewed the agency's strategic plan, Ms. Brayboy is focusing on raising the agency's awareness and accountability to the public. She also will target strengthening the agency's relationship with sister agencies under the Administration Secretariat and other cabinet levels.
- As a result of strengthening sister agency ties, the HRC partnered with the VA Department of Employee Dispute Resolution (EDR) with promoting Mediation Week with a luncheon held on Wednesday, March 29, 2006. HRC's own Gerald Snead was recognized at the luncheon for his mediation success.
- Ms. Brayboy is also working with the Governor's Office of Constituent Affairs Latino Liaison to publicize the agency's services to the Hispanic communities.
- Two (2) staff members' names have been nominated for Public Service week awards in May 2006.
- Efforts to use the press with Public Service Announcements (PSA) through various media outlets will begin soon to raise the public's awareness of the agency.
- The agency brochures have been updated and are available for distribution.
- Members of HRC staff will assist the VA Department of Minority Business Enterprise (DMBE) with sponsoring the Governor's Forum: Contracting Opportunities involving Small, Women, and Minority (SWAM) contractors.

Mr. Snead

- There are currently 83 cases being investigated.
- The EEOC contract is on target to bring the amount of case closures needed.
- Attended EEOC training during the week of February 13, 2006 in Washington, D.C. The training emphasized techniques used to conduct investigations more thoroughly. Carolyn Wheeler of the EEOC Appeals Division was the facilitator.
- There has been a recent decline with case participants opting to schedule mediations.
- A brief discussion was held concerning the intake and investigatory processes.

Mr. Wilson

- Thanked board members for timely submitting their Conflict of Interest forms into the office. This process is an annual mandate by the General Assembly.

Mr. West

- He has three (3) goals. First, he has reduced the 45 day turnover for reviewing complaint questionnaires. There is currently no intake back log. Second, he is improving his essential review of complaint questionnaires. And third, he will assist with investigations as needed.

The Director concluded the staff reports by giving an overview of the monthly statistical reports and a glossary of terms used in the reports.

Receiving of the Secretary of Administration

Ms. Norman introduced and presented Secretary Baskerville to the Chairman and board members. Secretary Baskerville gave words of encouragement and accolades to the board, the Senior Assistant Attorney General, and the agency staff.

Senior Assistant Attorney General Comments

Ms. Parrish gave an overview of cases she has reviewed. She complimented the staff on its thoroughness of case investigations in comparison to case documents she receives from the federal government.

Chairman's Report

Recap of 2006

The Chairman gave an overview of events that took place since the beginning of 2006 which included the status of the Petersburg Human Rights Commission, the activities some of the local human rights commissions, and the planning meeting of the VAHRC. The Chairman also invited members of the board to participate in the VAHRC conference to be held June 2-3, 2006 and possibly join as members. He also reported that all bills concerning the agency during the General Assembly were defeated. A brief discussion was held on Senate Bills 179, 665, and 700 and House Bills 839 and 1373. At the conclusion of this discussion, the Chairman deviated from the agenda and requested the Vice Chairman to give a brief report.

Vice Chairman's Report

Mr. Drachsler reported on the activities of the Virginia Code Commission. He contacted the commission to see if all statutes pertaining to the Virginia Human Rights Act could be put together in one section of the code. The commission responded that it will not be able to address this concern for some time; other priorities are presently being addressed and the code was recently codified.

He also presented a congratulatory letter on behalf of the chairman to the City of Alexandria Office of Human Rights which celebrated its 30th anniversary in 2005. Mr. Drachsler is a former chairman of that local agency.

2007 Legislation

The Chairman disbursed copies of the Suggested Legislative Priorities for 2007. After the document was presented, the Vice Chairman suggested that the board and staff focus on subpoena power for witnesses as a priority for any upcoming draft legislation requests. He also requested that staff members track cases where they deem that subpoena power would have helped with the investigation and why. This information would serve crucial in making a credible case before the legislators in providing them details of the specific need for revisions. An engrossed discussion was held regarding the benefits or backlashes of adding witness subpoena power to the Virginia Human Rights Act.

The Vice Chairman moved to go forward and draft legislation regarding item #4 (Investigative Procedures) as an amendment to the Virginia Human Rights for from the document presented. Seconded by Member Teets and the motion carried. Ms. Norman will survey neighboring FEPAs possessing subpoena power and its usage.

The Chairman then asked board to review item #5 (The Virginia Freedom of Information Act) of the document to include the terms “open meetings” and “closed meetings” within the language of the act regarding the Virginia Freedom of Information Act involving ongoing investigations and the appeal process. The Vice Chairman moved that the chairman and the director be given discretion to draft legislation for item #5 in addition to item #4 as needed. Seconded by Member Jones and motion carried.

Outreach

The Chairman commented that he would like to see the board members more vocal in their communities representing the Council and letting their constituents know of the agency’s services. Both Member Mason and Ms. Norman echoed the same initiative to participate in community programs and events. Ms. Norman asked members to inform her on any outreach initiatives taken place in their communities.

As another outreach initiative, Ms. Norman reminded the board members that group and individual photographs will be taken at the conclusion of the meeting for updating the agency’s website. Each board member’s biography, as previously requested, will be posted with his/her photograph.

Voting Rights Act

Members Drachsler and Mason attended the Voting Rights Act seminar held yesterday in Richmond. Two (2) of the highlighted items included the expiration of certain provisions of the act and the urging of local government's city and town councils and county boards of supervisors to draft resolutions to federal legislators to reauthorize the act. The Vice Chairman suggested that the board do the same and use it with our outreach activities. This suggestion includes sending copies of the Council's resolution to our respective congressmen and the media. Ms. Norman will check with the administration on sending the resolution from the board. The Vice Chairman moved to have the board draft a resolution to support the reauthorization of the federal Voting Rights Act and have the agency director consult with the Governor's Office to verify if it may be sent from the board or from the individual board members. Seconded by Member Campen and motion carried.

Administration Support

The Chairman asked if the board and the agency's staff have gained or need to gain additional support from the administration to assist in the Council's endeavors to strengthen the agency. Ms. Norman pointed out that a lot of support has come from our cabinet secretary, Viola Baskerville, having been a former member of the state legislature, a close adviser to the Governor, and having had experience in mediation and EEO laws. She also suggested that members should keep in contact with state legislators that represent their districts.

Retreat

The board will conduct an all day retreat on Friday, June 23, 2006. The purpose of the retreat is for the board to establish goals and objectives it wishes to implement and carry out. Preferred sites should be submitted to Ms. Norman or Mr. Wilson within the coming weeks.

Appeals

The Chairman appointed members Mason, Jones, and Teets to an appeals panel for the purpose of reviewing an appeal.

The meeting adjourned at 2:10 p.m.

Submitted by,

Jon Strother
Chairman

Timothy Wilson
Recorder